

the Judicial Conference. Indeed, in 1990, a Democratic majority in the Congress created judgeships during a Republican presidential administration. Last year the Judicial Conference of the United States requested that an additional 53 judgeships be authorized around the country. If Congress had passed the Federal Judgeship Act of 1997, S. 678, as it should have, the federal judiciary would have 120 vacancies today. That is the more accurate measure of the needs of the federal judiciary that have been ignored by the Congress over the past two years. In that light, the judicial vacancies crisis continues unabated.

In order to understand why a judicial vacancies crisis is plaguing so many federal courts, we need only recall how unproductive the Republican Senate has been over the last three years. More and more of the vacancies are judicial emergencies that have been left vacant for longer periods of time. The President has sent the Senate qualified nominees for 23 of those judicial emergency vacancies, nominations that are still pending as the Senate prepares to adjourn.

When the American people consider how the Senate is meeting its responsibilities with respect to judicial vacancies, it must recall that as recently as 1994, the last year in which the Senate majority was Democratic, the Senate confirmed 101 judges. It has taken the Republican Senate three years to reach the century mark for judicial confirmations—to accomplish what we did in one session.

Unlike other periods in which judicial vacancies could be attributed to newly-created judgeships, during the past four years the vacancies crisis has been created by the Senate's failure to move quickly to consider nominees to longstanding vacancies.

No one should take comfort from the number of confirmations achieved so far this year. It is only in comparison to the dismal achievements of the last two years that 48 judicial confirmations could be seen as an improvement. I recall that in 1992, during a presidential election year and President Bush's last year in office, a Democratic Senate confirmed 66 of his nominations.

I began this year challenging the Senate to maintain that pace. Instead, the Senate has confirmed only 48 judicial nominees instead of the 84 judges the Senate would have confirmed had it maintained the pace it achieved at the end of last year. The Senate has acted to confirm only 48 of the 91 nominations received for the 115 vacancies the federal judiciary experienced this year.

I know that some are still playing a political game of payback for the defeat of the nomination of Judge Bork to the Supreme Court and other Republican judicial nomination over the last decade. I remind the Senate that the Senate voted on the Bork nomination and voted on the nomination of Clar-

ence Thomas and did so in each case in less than 15 weeks. To delay judicial nominations for months and years and to deny them a vote is wrong.

THE IRISH PEACE PROCESS CULTURAL AND TRAINING PROGRAM ACT OF 1998

Mr. KENNEDY. Mr. President, the passage of the Irish Peace Process Cultural and Training Program Act is an important step to facilitate the ongoing peace process in Northern Ireland and advance the goals of the Good Friday Agreement of April 10, 1998. The legislation contributes to this effort by providing the people of that strife-torn region with new opportunities to achieve permanent peace and reconciliation.

This bill which authorizes a total of 12,000 residents of Northern Ireland and the six border counties of the Republic of Ireland to come to the United States for up to three years for job training and education.

Northern Ireland has an overall unemployment rate of 9.6 percent, and it is 13 percent in Belfast. The economy grew only three percent in the last year. Economic stagnation and high unemployment disproportionately affect unskilled workers. The legislation reaches out to these disadvantaged workers by giving many of them an opportunity to learn skills in the United States, which they will in turn take home to their communities in Northern Ireland and the border counties and use them productively for their future.

One of America's greatest strengths is its diversity, and the diversity of Northern Ireland can be a strength as well. A major goal of this legislation is to promote cross-community and cross-border understanding and build grass-roots support for long-term reconciliation and peaceful coexistence of the two communities. Building on the success of similar programs, this legislation will enable persons who have lived amidst the conflict and bigotry of Northern Ireland to spend time in communities in the United States where reconciliation works to achieve a strong and more just society. It is our hope that the experience generated by this legislation produce long-lasting social and economic benefits for all the people of the borders and Northern Ireland.

ADVANCEMENT IN PEDIATRIC AUTISM RESEARCH ACT

Mr. ABRAHAM. Mr. President, I rise today in support of S. 2263, the Advancement in Pediatric Autism Research Act, introduced by Senator SLADE GORTON. Infantile autism and autism spectrum disorders are biologically-based, neuro-developmental diseases that cause severe impairments in language and communication. This disease is generally manifested in young children, sometimes during the first years of life.

Estimates show that 1 in 500 children born today will be diagnosed with an autism spectrum disorder and that 400,000 Americans have autism or an autism spectrum disorder. The cost of caring for individuals with this disease is estimated at \$13.3 billion per year. Rapid advancements and effective treatments are attainable through biomedical research.

S. 2263 improves research on pediatric autism in the following areas: networks five Centers of Excellence combining basic research and clinical services; appropriates funds for an awareness campaign aimed largely at physicians and professionals and designed to aid in earlier and more accurate diagnosis; appropriates monies for gene and tissue banking, and funds current proposals at NIH in autism. Michigan families who have been affected by autism or an autism spectrum disorder have contacted my office in support of this legislation. They have impressed upon me the need for better research into this disorder.

With three young children of my own, I too am concerned for millions of children afflicted with childhood diseases and birth defects. I have long been committed to supporting policies that encourage research into this and other afflictions, particularly those conditions that directly impact children. For these reasons, I urge my colleagues to join me in support of this important piece of legislation.

Mr. President, I yield the floor.

RETENTION OF RECKLESSNESS STANDARD OF LIABILITY

Mr. CLELAND. Mr. President, in the wake of final passage of S. 1260, the Securities Litigation Uniform Standards Act, I wish to emphasize my interest in the retention and reinforcement of the recklessness standard of liability and the Second Circuit Court of Appeals pleading standard in federal securities fraud cases. Securities law experts, including officials of the Securities and Exchange Commission, have recognized that the continued vitality of the federal securities laws and the health of the financial markets depend on the reaffirmation of this standard.

It is essential that we be clear that reckless wrongdoing satisfies the scienter standard under the federal securities laws. The current standard that provides liability for reckless behavior should be explicitly reaffirmed; any suggestion that a victimized investor must establish actual knowledge by a defendant is not only legally incorrect but would undermine the integrity of our financial markets. The SEC has repeatedly stated in legal filings and Congressional testimony that the recklessness standard is critical to investor protection. Every federal appellate court that has considered this issue has held that recklessness suffices. The text of the 1995 Private Securities Litigation Reform Act did not change the scienter standard; Members of Congress